

OHIO

House

of

Representatives

JOURNAL

TUESDAY, NOVEMBER 27, 2012

TWO HUNDRED FOURTH DAY
Hall of the House of Representatives, Columbus, Ohio
Tuesday, November 27, 2012, 11:00 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Paul Hoy of FloodGate Vision in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the previous legislative day was read and approved.

The following guests of the House of Representatives were recognized by Speaker Batchelder prior to the commencement of business:

Robert Brenner and Bill and Melanie Mensen, guests of Representative Brenner-2nd district.

Jim Hile and Jeanie Glassmeyer, guests of Representative Bulp-88th district.

John, Susan, and Lauren Rightman, guests of Representative Sprague-76th district.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 610-Representative Stautberg.

To amend sections 2333.22, 2715.21, 2735.02, and 2735.04 of the Revised Code to add to and clarify the powers of a receiver and to provide a procedure for a receiver's sale of real property.

H. B. No. 611-Representative Goyal.

To authorize the conveyance of state-owned real estate in Richland County to the Mansfield Reformatory Preservation Society.

H. B. No. 612-Representative Damschroder.

Cosponsors: Representatives Yuko, Smith, Reece, Garland, Antonio, Milkovich.

To amend sections 3701.261, 3701.262, 3701.263, and 3701.99 and to enact sections 3701.265, 3701.266, and 3701.267 of the Revised Code regarding the Ohio Cancer Incidence Surveillance System.

Said bills were considered the first time.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

Representative Szollosi reported for the Rules and Reference Committee recommending that the following House Bills be considered for the second time and referred to the following committees for consideration.

H.B. No. 603 - Representatives Blessing and Heard, et al
TO AUTHORIZE THE DIRECTOR OF REHABILITATION AND CORRECTION TO IMPLEMENT A PROGRAM TO IMPROVE PRISONERS' ACCESS TO PSYCHOTROPIC DRUGS AND A PROGRAM AUTHORIZING THE PROVISION OF MEDICAL AND BEHAVIORAL HEALTH CARE TO PRISONERS THROUGH TELECOMMUNICATION METHODS.

To the committee on Health and Aging

H.B. No. 604 - Representative Patmon
TO REQUIRE LICENSURE OF RESIDENTIAL CONSTRUCTION CONTRACTORS AND TO CREATE THE RESIDENTIAL BUILDERS' AND MAINTENANCE AND ALTERATION CONTRACTORS' LICENSING BOARD TO REGULATE THE LICENSURE AND PERFORMANCE OF RESIDENTIAL CONSTRUCTION CONTRACTORS.

To the committee on Commerce and Labor

H.B. No. 605 - Representative Huffman, Blessing
TO PERMIT THE BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION TO INVESTIGATE CRIMINAL ACTIVITY INVOLVING THE OPERATION OF A SCHEME OF CHANCE UNDER THE GAMBLING LAW, TO REQUIRE THE STATE LOTTERY COMMISSION TO ADOPT RULES DESCRIBING CERTAIN PROHIBITED SCHEMES OF CHANCE THAT USE AN ELECTRONIC DEVICE TO REVEAL THE RESULTS, AND TO MAKE OTHER CHANGES RELATED TO SCHEMES OF CHANCE.

To the committee on Judiciary and Ethics

H.B. No. 606 - Representative R. Hagan, Gerberry
TO ABOLISH A JUDGESHIP OF THE YOUNGSTOWN MUNICIPAL COURT.

To the committee on Judiciary and Ethics

H.B. No. 607 - Representatives Gonzales and Wachtmann, et al
TO REQUIRE CERTAIN HEALTH CARE PROFESSIONALS TO WEAR, WHEN PROVIDING DIRECT PATIENT CARE, AN IDENTIFICATION CARD, BADGE, OR SIMILAR DEVICE THAT INCLUDES A PHOTOGRAPH OF THE PROFESSIONAL AND SPECIFIES THE LICENSE HELD BY THE PROFESSIONAL AND TO MAKE CERTAIN CHANGES REGARDING ADVERTISING FOR HEALTH CARE SERVICES.

To the committee on Health and Aging

H.B. No. 608 - Representative Amstutz, Barnes
TO PROHIBIT GOVERNMENTAL AUTHORITIES OUTSIDE OHIO
FROM FINANCING VARIOUS KINDS OF CAPITAL PROJECTS IN
OHIO WITHOUT THE CONSENT OF LOCAL AUTHORITIES OR THE
DIRECTOR OF DEVELOPMENT SERVICES.

To the committee on Finance and Appropriations

H.B. No. 609 - Representatives Wachtmann and Gonzales
TO REQUIRE THE MEDICAID PROGRAM AND TO AUTHORIZE
HEALTH CARE INSURERS TO PROVIDE COVERAGE OF
TELEHEALTH SERVICES.

To the committee on Health and Aging

LOUIS W. BLESSING
ANDREW BRENNER
DOROTHY PELANDA
MATT SZOLLOSI

JOHN ADAMS
CHERYL GROSSMAN
ARMOND BUDISH

Representative Blessing moved that the House and Constitutional Rules
requiring bills to be considered by each house on three different days be
suspended as to the second consideration of the House Bills contained in the
report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills were considered the second time and referred as
recommended.

MOTIONS AND RESOLUTIONS

Representative Szollosi reported for the Rules and Reference Committee
recommending that the following House Resolution be introduced and referred
to the following committee for consideration:

H.R. No. 492 - Representative Fedor
TO REQUEST THE CONGRESS OF THE UNITED STATES TO
AUTHORIZE APPROPRIATIONS FOR THE TRAFFICKING VICTIMS
PROTECTION ACT OF 2000 FOR FISCAL YEAR 2013 AND LATER
FISCAL YEARS.

To the committee on Finance and Appropriations

/s/LOUIS BLESSING
Louis Blessing, Chair

Representative Blessing moved that the Rules and Reference Committee
Report on resolutions be agreed to and that the resolution contained therein be
introduced and referred as recommended.

The motion was agreed to.

Said resolution was introduced and referred as recommended.

Representative Szollosi reported for the Rules and Reference Committee recommending that the following House Resolutions be read by title only and approved:

H.R. No. 493 - Representative Grossman
Honoring Rick Stretch for having the 2012 World Nite Hunt champion coonhound.

H.R. No. 494 - Representatives Maag, Beck
Honoring Jacquelyn Crow as a 2012 Division I State Cross Country Champion.

H.R. No. 495 - Representative Gardner
Honoring the Perrysburg High School girls soccer team on winning the 2012 Division I State Championship.

H.R. No. 496 - Representatives Maag, Beck
Honoring the Bishop Fenwick High School girls soccer team as the 2012 Division III State Champion.

H.R. No. 497 - Representatives Stinziano, Heard
Honoring Carole Morbitzer as the 2013 Ohio Teacher of the Year.

/s/LOUIS BLESSING
Louis Blessing, Chair

Representative Blessing moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 197-Representative Slesnick.
Cosponsors: Representatives Fende, Letson, Murray, O'Brien, Patmon, Yuko.

To amend sections 1901.261, 1901.31, 1907.20, 1907.26, 1907.261, 4503.39, and 5503.02 and to enact sections 1901.44, 1905.202, 1907.25, and 2947.09 of the Revised Code to require that all moneys collected by the clerk of a municipal or county court be paid to the appropriate person, fund, or entity on or before the twentieth day of the month following the month in which they are collected; to authorize a municipal, mayor's, or county court to require community service in lieu of costs if at the time of sentencing or any time after sentencing the court finds that the offender cannot pay costs; to authorize a municipal, mayor's, or county court to allow payment of costs in installments if at the time of sentencing or at any time after sentencing the court finds that the offender will not be able to pay costs in full when due; to

ensure that neither the Registrar of Motor Vehicles nor any deputy registrar accepts any application for the registration or transfer of registration of a motor vehicle of a person who fails to pay any fine or costs imposed for offenses by a common pleas, municipal, mayor's, or county court; and to clarify the authority of the State Highway Patrol to enforce criminal laws at privately owned correctional facilities, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Blessing moved that **Sub. H. B. No. 197**-Representative Slesnick, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

H. B. No. 274-Representative Letson.
Cosponsor: Representative Bubp.

To amend section 5301.057 of the Revised Code to provide that a transfer fee for purposes of a transfer fee covenant does not include any payment required pursuant to a conservation easement or agricultural easement, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
Boyce	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Smith	Sprague	Stautberg	Stebelton
Stinziano	Sykes	Szollosi	Terhar
Thompson	Uecker	Wachtmann	Williams
Winburn	Young	Yuko	Batchelder-92.

The bill passed.

Representative Letson moved to amend the title as follows:

Add the names: "Antonio, Brenner, Combs, Derickson, Foley, Mallory, Milkovich, Murray, O'Brien, Okey, Ramos, Szollosi, Winburn, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 387-Representatives Sears, Ashford.

Cosponsors: Representatives Letson, Gardner, Hill, McGregor, Antonio, Combs, Fedor, Stebelton, Brenner, Hackett.

To enact section 307.093 of the Revised Code to authorize a board of county commissioners of any county to enter into agreements for the sale and leaseback of all or portions of county buildings, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Blessing moved that **Am. H. B. No. 387**-Representatives Sears, Ashford, et al., be informally passed and retain its place on the calendar.

The motion was agreed to.

H. C. R. No. 56-Representative Gonzales.

Cosponsors: Representatives Derickson, Wachtmann, Ruhl, Yuko, Hackett, Baker.

To recognize November 2012 as Personal Health Care Month, was taken up for consideration the third time.

The question being, "Shall the concurrent resolution be adopted?"

Representative Gonzales moved to amend the title as follows:

Add the names: "Blair, Brenner, Carney, Celebrezze, Celeste, Combs, Hagan, C., Johnson, Letson, Mallory, Milkovich, Patmon, Reece, Sprague, Stebelton, Stinziano, Sykes."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the concurrent resolution be adopted?"

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
Boyce	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Reece	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-93.

The concurrent resolution was adopted.

Am. S. B. No. 40-Senator Kearney.

Cosponsors: Senators Cafaro, Brown, Sawyer, Smith, Wagoner, Manning, Tavares, Bacon, Balderson, Beagle, Burke, Daniels, Faber, Hite, Hughes, Jones, LaRose, Lehner, Obhof, Oelslager, Patton, Schaffer, Schiavoni, Skindell, Turner. Representatives Goodwin, Fende, Antonio, Barnes, Carney, Gardner, Garland, Hackett, Hagan, R., Hill, Hottinger, Johnson, Ramos, Yuko.

To enact sections 5.2271 and 3701.137 of the Revised Code to designate November as "Complex Regional Pain Syndrome Awareness Month" and to require the Department of Health to include on its web site information regarding the syndrome, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose

Boyce	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Reece	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-93.

The bill passed.

Representative Wachtmann moved to amend the title as follows:

Add the names: "Ashford, Celebrezze, Celeste, Combs, Driehaus, Fedor, Kozlowski, Letson, Lundy, Mallory, Milkovich, O'Brien, Phillips, Reece, Stinziano, Winburn, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. S. B. No. 135-Senator Kearney.

Cosponsors: Senators Smith, Turner, Wagoner, Tavares, Bacon, Balderson, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Niehaus, Obhof, Oelslager, Patton, Peterson, Sawyer, Schaffer, Schiavoni, Widener. Representatives Fende, Antonio, Barnes, Carney, Gardner, Garland, Hackett, Johnson, Sears.

To enact section 5.2287 of the Revised Code to designate the month of September as "Craniofacial Acceptance Month", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 92, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Baker	Barnes	Beck
Blair	Blessing	Boose	Boyce
Brenner	Bubp	Buchy	Budish
Butler	Carney	Celebrezze	Celeste
Cera	Clyde	Combs	Conditt
Damschroder	DeVitis	Derickson	Dovilla
Driehaus	Duffey	Fedor	Foley
Gardner	Garland	Gerberry	Gonzales
Goodwin	Goyal	Grossman	Hackett
Hagan, C.	Hagan, R.	Hall	Hayes
Henne	Hill	Hottinger	Huffman
Johnson	Kozlowski	Landis	Letson
Lundy	Lynch	Maag	Mallory
McClain	McGregor	Milkovich	Murray
Newbold	O'Brien	Okey	Patmon
Pelanda	Phillips	Pillich	Ramos
Reece	Roegner	Rosenberger	Ruhl
Scherer	Schuring	Sears	Slaby M.
Smith	Sprague	Stautberg	Stebelton
Stinziano	Sykes	Szollosi	Terhar
Thompson	Uecker	Wachtmann	Williams
Winburn	Young	Yuko	Batchelder-92.

The bill passed.

Representative Wachtmann moved to amend the title as follows:

Add the names: "Beck, Blessing, Celebrezze, Celeste, Combs, Driehaus, Fedor, Gerberry, Goyal, Lundy, Mallory, Milkovich, Newbold, O'Brien, Ramos, Stebelton, Stinziano, Young, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 141-Senators Gillmor, Hite.

Cosponsors: Senators Schaffer, Seitz, Hughes, Brown, Tavares, Coley, Bacon, Beagle, Cafaro, Daniels, Jones, LaRose, Lehner, Manning, Niehaus, Oelslager, Patton, Sawyer, Schiavoni, Skindell, Smith, Stewart, Turner, Wagoner, Widener, Wilson. Representatives Garland, Hackett, Sears.

To amend sections 4731.36, 4734.14, 4755.48, and 4755.99 of the Revised Code to authorize a licensed physician, chiropractor, or physical therapist from another state to provide services to an out-of-state athletic team and certain accompanying individuals when the team is participating in a sporting event in Ohio, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
Boyce	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Reece	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-93.

The bill passed.

Representative Wachtmann moved to amend the title as follows:

Add the names: "Adams, J., Antonio, Blessing, Boose, Buchy, Celebrezze, Celeste, Combs, Damschroder, Derickson, DeVitis, Dovilla, Foley, Gardner, Hagan, C., Hill, Huffman, Johnson, Kozlowski, McClain, Milkovich, Murray, Newbold, Pillich, Roegner, Ruhl, Smith, Sprague, Stebelton, Terhar, Thompson, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. B. No. 199-Senator Smith.

Cosponsors: Senators Obhof, Skindell, Wagoner, Tavares, Sawyer, Hughes, Seitz, Beagle, Cafaro, Brown, Bacon, Balderson, Burke, Coley, Eklund, Faber, Gentile, Hite, Jones, Kearney, LaRose, Lehner, Manning, Niehaus, Oelslager, Peterson, Schaffer, Schiavoni, Turner. Representatives Fende, Antonio, Barnes, Carney, Duffey, Gardner, Garland, Hackett, Johnson, Sears, Smith.

To enact section 5.2267 of the Revised Code to designate October 13 as Metastatic Breast Cancer Awareness Day, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
Boyce	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Reece	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-93.

The bill passed.

Representative Gonzales moved to amend the title as follows:

Add the names: "Amstutz, Beck, Blessing, Boyce, Brenner, Buchy, Celebrezze, Celeste, Cera, Combs, Damschroder, Derickson, Dovilla, Driehaus, Hagan, C., Hall, Hayes, Kozlowski, Landis, Letson, Lundy, Maag, Milkovich, Newbold, O'Brien, Okey, Patmon, Pillich, Ramos, Reece, Ruhl, Sprague, Stautberg, Terhar, Uecker, Wachtmann, Winburn, Young, Yuko, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 197-Representative Slesnick.

Cosponsors: Representatives Fende, Letson, Murray, O'Brien, Patmon, Yuko.

To amend sections 1901.261, 1901.31, 1907.20, 1907.26, 1907.261, 4503.39, and 5503.02 and to enact sections 1901.44, 1905.202, 1907.25, and 2947.09 of the Revised Code to require that all moneys collected by the clerk of a municipal or county court be paid to the appropriate person, fund, or entity on or before the twentieth day of the month following the month in which they are collected; to authorize a municipal, mayor's, or county court to require community service in lieu of costs if at the time of sentencing or any time after sentencing the court finds that the offender cannot pay costs; to authorize a municipal, mayor's, or county court to allow payment of costs in installments if at the time of sentencing or at any time after sentencing the court finds that the offender will not be able to pay costs in full when due; to ensure that neither the Registrar of Motor Vehicles nor any deputy registrar accepts any application for the registration or transfer of registration of a motor vehicle of a person who fails to pay any fine or costs imposed for offenses by a common pleas, municipal, mayor's, or county court; and to clarify the authority of the State Highway Patrol to enforce criminal laws at privately owned correctional facilities, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Bubp moved to amend as follows:

Delete lines 110 through 604 and insert:

"Sec. 1901.31. The clerk and deputy clerks of a municipal court shall be selected, be compensated, give bond, and have powers and duties as follows:

(A) There shall be a clerk of the court who is appointed or elected as follows:

(1)(a) Except in the Akron, Barberton, Toledo, Hamilton county, Miami county, Montgomery county, Portage county, and Wayne county municipal courts and through December 31, 2008, the Cuyahoga Falls municipal court, if the population of the territory equals or exceeds one hundred thousand at the regular municipal election immediately preceding the expiration of the term of the present clerk, the clerk shall be nominated and elected by the qualified electors of the territory in the manner that is provided for the nomination and election of judges in section 1901.07 of the Revised Code.

The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(b) In the Hamilton county municipal court, the clerk of courts of Hamilton county shall be the clerk of the municipal court and may appoint an

assistant clerk who shall receive the compensation, payable out of the treasury of Hamilton county in semimonthly installments, that the board of county commissioners prescribes. The clerk of courts of Hamilton county, acting as the clerk of the Hamilton county municipal court and assuming the duties of that office, shall receive compensation at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code. This compensation shall be paid from the county treasury in semimonthly installments and is in addition to the annual compensation that is received for the performance of the duties of the clerk of courts of Hamilton county, as provided in sections 325.08 and 325.18 of the Revised Code.

(c) In the Portage county and Wayne county municipal courts, the clerks of courts of Portage county and Wayne county shall be the clerks, respectively, of the Portage county and Wayne county municipal courts and may appoint a chief deputy clerk for each branch that is established pursuant to section 1901.311 of the Revised Code and assistant clerks as the judges of the municipal court determine are necessary, all of whom shall receive the compensation that the legislative authority prescribes. The clerks of courts of Portage county and Wayne county, acting as the clerks of the Portage county and Wayne county municipal courts and assuming the duties of these offices, shall receive compensation payable from the county treasury in semimonthly installments at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(d) In the Montgomery county and Miami county municipal courts, the clerks of courts of Montgomery county and Miami county shall be the clerks, respectively, of the Montgomery county and Miami county municipal courts. The clerks of courts of Montgomery county and Miami county, acting as the clerks of the Montgomery county and Miami county municipal courts and assuming the duties of these offices, shall receive compensation at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code. This compensation shall be paid from the county treasury in semimonthly installments and is in addition to the annual compensation that is received for the performance of the duties of the clerks of courts of Montgomery county and Miami county, as provided in sections 325.08 and 325.18 of the Revised Code.

(e) Except as otherwise provided in division (A)(1)(e) of this section, in the Akron municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Akron for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Akron municipal court shall be signed by at least fifty

qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Akron municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Akron municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(f) Except as otherwise provided in division (A)(1)(f) of this section, in the Barberton municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Barberton for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Barberton municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Barberton municipal court, a primary election shall not be held for

the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Barberton municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(g)(i) Through December 31, 2008, except as otherwise provided in division (A)(1)(g)(i) of this section, in the Cuyahoga Falls municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Cuyahoga Falls for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Cuyahoga Falls municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Cuyahoga Falls municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Cuyahoga Falls municipal

court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(ii) Division (A)(1)(g)(i) of this section shall have no effect after December 31, 2008.

(h) Except as otherwise provided in division (A)(1)(h) of this section, in the Toledo municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Toledo for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Toledo municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Toledo municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Toledo municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(2)(a) Except for the Alliance, Auglaize county, Brown county, Columbiana county, Holmes county, Putnam county, Sandusky county, Lorain, Massillon, and Youngstown municipal courts, in a municipal court for which the population of the territory is less than one hundred thousand, the clerk shall be appointed by the court, and the clerk shall hold office until the clerk's successor is appointed and qualified.

(b) In the Alliance, Lorain, Massillon, and Youngstown municipal courts, the clerk shall be elected for a term of office as described in division (A)(1)(a) of this section.

(c) In the Auglaize county, Brown county, Holmes county, Putnam county, and Sandusky county municipal courts, the clerks of courts of Auglaize county, Brown county, Holmes county, Putnam county, and Sandusky county shall be the clerks, respectively, of the Auglaize county, Brown county, Holmes county, Putnam county, and Sandusky county municipal courts and may appoint a chief deputy clerk for each branch office that is established pursuant to section 1901.311 of the Revised Code, and assistant clerks as the judge of the court determines are necessary, all of whom shall receive the compensation that the legislative authority prescribes. The clerks of courts of Auglaize county, Brown county, Holmes county, Putnam county, and Sandusky county, acting as the clerks of the Auglaize county, Brown county, Holmes county, Putnam county, and Sandusky county municipal courts and assuming the duties of these offices, shall receive compensation payable from the county treasury in semimonthly installments at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(d) In the Columbiana county municipal court, the clerk of courts of Columbiana county shall be the clerk of the municipal court, may appoint a chief deputy clerk for each branch office that is established pursuant to section 1901.311 of the Revised Code, and may appoint any assistant clerks that the judges of the court determine are necessary. All of the chief deputy clerks and assistant clerks shall receive the compensation that the legislative authority prescribes. The clerk of courts of Columbiana county, acting as the clerk of the Columbiana county municipal court and assuming the duties of that office, shall receive in either biweekly installments or semimonthly installments, as determined by the payroll administrator, compensation payable from the county treasury at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(3) During the temporary absence of the clerk due to illness, vacation, or other proper cause, the court may appoint a temporary clerk, who shall be paid the same compensation, have the same authority, and perform the same duties as the clerk.

(B) Except in the Hamilton county, Montgomery county, Miami county, Portage county, and Wayne county municipal courts, if a vacancy occurs in the

office of the clerk of the Alliance, Lorain, Massillon, or Youngstown municipal court or occurs in the office of the clerk of a municipal court for which the population of the territory equals or exceeds one hundred thousand because the clerk ceases to hold the office before the end of the clerk's term or because a clerk-elect fails to take office, the vacancy shall be filled, until a successor is elected and qualified, by a person chosen by the residents of the territory of the court who are members of the county central committee of the political party by which the last occupant of that office or the clerk-elect was nominated. Not less than five nor more than fifteen days after a vacancy occurs, those members of that county central committee shall meet to make an appointment to fill the vacancy. At least four days before the date of the meeting, the chairperson or a secretary of the county central committee shall notify each such member of that county central committee by first class mail of the date, time, and place of the meeting and its purpose. A majority of all such members of that county central committee constitutes a quorum, and a majority of the quorum is required to make the appointment. If the office so vacated was occupied or was to be occupied by a person not nominated at a primary election, or if the appointment was not made by the committee members in accordance with this division, the court shall make an appointment to fill the vacancy. A successor shall be elected to fill the office for the unexpired term at the first municipal election that is held more than one hundred thirty-five days after the vacancy occurred.

(C)(1) In a municipal court, other than the Auglaize county, the Brown county, the Columbiana county, the Holmes county, the Putnam county, the Sandusky county, and the Lorain municipal courts, for which the population of the territory is less than one hundred thousand, the clerk of the municipal court shall receive the annual compensation that the presiding judge of the court prescribes, if the revenue of the court for the preceding calendar year, as certified by the auditor or chief fiscal officer of the municipal corporation in which the court is located or, in the case of a county-operated municipal court, the county auditor, is equal to or greater than the expenditures, including any debt charges, for the operation of the court payable under this chapter from the city treasury or, in the case of a county-operated municipal court, the county treasury for that calendar year, as also certified by the auditor or chief fiscal officer. If the revenue of a municipal court, other than the Auglaize county, the Brown county, the Columbiana county, the Putnam county, the Sandusky county, and the Lorain municipal courts, for which the population of the territory is less than one hundred thousand for the preceding calendar year as so certified is not equal to or greater than those expenditures for the operation of the court for that calendar year as so certified, the clerk of a municipal court shall receive the annual compensation that the legislative authority prescribes. As used in this division, "revenue" means the total of all costs and fees that are collected and paid to the city treasury or, in a county-operated municipal court, the county treasury by the clerk of the municipal court under division (F) of this section and all interest received and paid to the city treasury or, in a county-operated municipal court, the county treasury in relation to the costs and fees under division (G) of this section.

(2) In a municipal court, other than the Hamilton county, Montgomery county, Miami county, Portage county, and Wayne county municipal courts, for which the population of the territory is one hundred thousand or more, and in the Lorain municipal court, the clerk of the municipal court shall receive annual compensation in a sum equal to eighty-five per cent of the salary of a judge of the court.

(3) The compensation of a clerk described in division (C)(1) or (2) of this section and of the clerk of the Columbiana county municipal court is payable in either semimonthly installments or biweekly installments, as determined by the payroll administrator, from the same sources and in the same manner as provided in section 1901.11 of the Revised Code, except that the compensation of the clerk of the Carroll county municipal court is payable in biweekly installments.

(D) Before entering upon the duties of the clerk's office, the clerk of a municipal court shall give bond of not less than six thousand dollars to be determined by the judges of the court, conditioned upon the faithful performance of the clerk's duties.

(E) The clerk of a municipal court may do all of the following: administer oaths, take affidavits, and issue executions upon any judgment rendered in the court, including a judgment for unpaid costs; issue, sign, and attach the seal of the court to all writs, process, subpoenas, and papers issuing out of the court; and approve all bonds, sureties, recognizances, and undertakings fixed by any judge of the court or by law. The clerk may refuse to accept for filing any pleading or paper submitted for filing by a person who has been found to be a vexatious litigator under section 2323.52 of the Revised Code and who has failed to obtain leave to proceed under that section. The clerk shall do all of the following: file and safely keep all journals, records, books, and papers belonging or appertaining to the court; record the proceedings of the court; perform all other duties that the judges of the court may prescribe; and keep a book showing all receipts and disbursements, which book shall be open for public inspection at all times.

The clerk shall prepare and maintain a general index, a docket, and other records that the court, by rule, requires, all of which shall be the public records of the court. In the docket, the clerk shall enter, at the time of the commencement of an action, the names of the parties in full, the names of the counsel, and the nature of the proceedings. Under proper dates, the clerk shall note the filing of the complaint, issuing of summons or other process, returns, and any subsequent pleadings. The clerk also shall enter all reports, verdicts, orders, judgments, and proceedings of the court, clearly specifying the relief granted or orders made in each action. The court may order an extended record of any of the above to be made and entered, under the proper action heading, upon the docket at the request of any party to the case, the expense of which record may be taxed as costs in the case or may be required to be prepaid by the party demanding the record, upon order of the court.

(F) The clerk of a municipal court shall receive, collect, and issue

receipts for all costs, fees, fines, bail, and other moneys payable to the office or to any officer of the court. The clerk shall ~~each~~ on or before the twentieth day of the month following the month in which they are collected disburse to the proper persons or officers, and take receipts for, all costs, fees, fines, bail, and other moneys that the clerk collects. Subject to sections 307.515 and 4511.193 of the Revised Code and to any other section of the Revised Code that requires a specific manner of disbursement of any moneys received by a municipal court and except for the Hamilton county, Lawrence county, and Ottawa county municipal courts, the clerk shall pay all fines received for violation of municipal ordinances into the treasury of the municipal corporation the ordinance of which was violated and shall pay all fines received for violation of township resolutions adopted pursuant to section 503.52 or 503.53 or Chapter 504. of the Revised Code into the treasury of the township the resolution of which was violated. Subject to sections 1901.024 and 4511.193 of the Revised Code, in the Hamilton county, Lawrence county, and Ottawa county municipal courts, the clerk shall pay fifty per cent of the fines received for violation of municipal ordinances and fifty per cent of the fines received for violation of township resolutions adopted pursuant to section 503.52 or 503.53 or Chapter 504. of the Revised Code into the treasury of the county. Subject to sections 307.515, 4511.19, and 5503.04 of the Revised Code and to any other section of the Revised Code that requires a specific manner of disbursement of any moneys received by a municipal court, the clerk shall pay all fines collected for the violation of state laws into the county treasury. Except in a county-operated municipal court, the clerk shall pay all costs and fees the disbursement of which is not otherwise provided for in the Revised Code into the city treasury. The clerk of a county-operated municipal court shall pay the costs and fees the disbursement of which is not otherwise provided for in the Revised Code into the county treasury. Moneys deposited as security for costs shall be retained pending the litigation. The clerk shall keep a separate account of all receipts and disbursements in civil and criminal cases, which shall be a permanent public record of the office. On the expiration of the term of the clerk, the clerk shall deliver the records to the clerk's successor. The clerk shall have other powers and duties as are prescribed by rule or order of the court.

(G) All moneys paid into a municipal court shall be noted on the record of the case in which they are paid and shall be deposited in a state or national bank, or a domestic savings and loan association, as defined in section 1151.01 of the Revised Code, that is selected by the clerk. Any interest received upon the deposits shall be paid into the city treasury, except that, in a county-operated municipal court, the interest shall be paid into the treasury of the county in which the court is located.

On the first Monday in January of each year, the clerk shall make a list of the titles of all cases in the court that were finally determined more than one year past in which there remains unclaimed in the possession of the clerk any funds, or any part of a deposit for security of costs not consumed by the costs in the case. The clerk shall give notice of the moneys to the parties who are entitled to

the moneys or to their attorneys of record. All the moneys remaining unclaimed on the first day of April of each year shall be paid by the clerk to the city treasurer, except that, in a county-operated municipal court, the moneys shall be paid to the treasurer of the county in which the court is located. The treasurer shall pay any part of the moneys at any time to the person who has the right to the moneys upon proper certification of the clerk.

(H) Deputy clerks of a municipal court other than the Carroll county municipal court may be appointed by the clerk and shall receive the compensation, payable in either biweekly installments or semimonthly installments, as determined by the payroll administrator, out of the city treasury, that the clerk may prescribe, except that the compensation of any deputy clerk of a county-operated municipal court shall be paid out of the treasury of the county in which the court is located. The judge of the Carroll county municipal court may appoint deputy clerks for the court, and the deputy clerks shall receive the compensation, payable in biweekly installments out of the county treasury, that the judge may prescribe. Each deputy clerk shall take an oath of office before entering upon the duties of the deputy clerk's office and, when so qualified, may perform the duties appertaining to the office of the clerk. The clerk may require any of the deputy clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the deputy clerk's duties.

(I) For the purposes of this section, whenever the population of the territory of a municipal court falls below one hundred thousand but not below ninety thousand, and the population of the territory prior to the most recent regular federal census exceeded one hundred thousand, the legislative authority of the municipal corporation may declare, by resolution, that the territory shall be considered to have a population of at least one hundred thousand.

(J) The clerk or a deputy clerk shall be in attendance at all sessions of the municipal court, although not necessarily in the courtroom, and may administer oaths to witnesses and jurors and receive verdicts."

In line 1007, delete " (C)(2)" and insert " (B)"; delete " (A)" and insert " (B)"

In line 1008, delete " (A)" and insert " (B)"

In line 1009, after the second comma, insert " division (A) of section 2947.09,"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
Boyce	Brenner	Bubp	Buchy

Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Reece	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-93.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

Representative Kozlowski moved to amend as follows:

In line 28, after "1907.261," insert "and"; delete ", and 5503.02"

Delete lines 1013 through 1218

In line 1220, after "1907.261," insert "and"; delete ", and 5503.02"

In line 2 of the title, after "1907.261," insert "and"; delete ", and 5503.02"

In line 18 of the title, after the semicolon insert "and"

In line 24 of the title, delete everything after "court"

Delete line 25 of the title

In line 26 of the title, delete everything before the period

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
Boyce	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs

Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hagan, R.	Hall
Hayes	Henne	Hill	Hottinger
Huffman	Johnson	Kozlowski	Landis
Letson	Lundy	Lynch	Maag
Mallory	McClain	McGregor	Milkovich
Murray	Newbold	O'Brien	Okey
Patmon	Pelanda	Phillips	Pillich
Ramos	Reece	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-93.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

Representative Okey moved to amend as follows:

In line 620, after the underlined comma insert "the court shall send the person a notice by ordinary mail at the person's last known address stating that there is a balance due, specifying the amount of the balance due, and directing the person to contact the court clerk's office within ten days of the date of the notice. The notice shall include the sentence: "WARNING: Failure to timely respond to this notice may result in the blocking of your motor vehicle registration or transfer of registration!" To avoid a block on the person's motor vehicle registration or transfer of registration, the person may enter into a written agreement with the court to pay the balance due in installments or to perform community service in lieu of payment. The agreement shall include the sentence: "WARNING: Failure to comply with the payment schedule or to complete your community service requirement may result in the blocking of your motor vehicle registration or transfer of registration!"

If a person does not enter into an agreement under this division or if a person fails to comply with an agreement entered into under this division,"

In line 621, after " pay" insert "any outstanding amount of"

In line 642, after " notice" insert "to the registrar"

In line 643, after " notice" insert "to the registrar"

In line 666, after the underlined comma insert "the court shall send the person a notice by ordinary mail at the person's last known address stating that there is a balance due, specifying the amount of the balance due, and directing

the person to contact the court clerk's office within ten days of the date of the notice. The notice shall include the sentence: "WARNING: Failure to timely respond to this notice may result in the blocking of your motor vehicle registration or transfer of registration!" To avoid a block on the person's motor vehicle registration or transfer of registration, the person may enter into a written agreement with the court to pay the balance due in installments or to perform community service in lieu of payment. The agreement shall include the sentence: "WARNING: Failure to comply with the payment schedule or to complete your community service requirement may result in the blocking of your motor vehicle registration or transfer of registration!"

If a person does not enter into an agreement under this division or if a person fails to comply with an agreement entered into under this division,"

In line 667, after " pay" insert " any outstanding amount of"

In line 688, after " notice" insert " to the registrar"

In line 689, after " notice" insert " to the registrar"

In line 865, after the underlined comma insert " the court shall send the person a notice by ordinary mail at the person's last known address stating that there is a balance due, specifying the amount of the balance due, and directing the person to contact the court clerk's office within ten days of the date of the notice. The notice shall include the sentence: "WARNING: Failure to timely respond to this notice may result in the blocking of your motor vehicle registration or transfer of registration!" To avoid a block on the person's motor vehicle registration or transfer of registration, the person may enter into a written agreement with the court to pay the balance due in installments or to perform community service in lieu of payment. The agreement shall include the sentence: "WARNING: Failure to comply with the payment schedule or to complete your community service requirement may result in the blocking of your motor vehicle registration or transfer of registration!"

If a person does not enter into an agreement under this division or if a person fails to comply with an agreement entered into under this division,"

In line 866, after " pay" insert " any outstanding amount of"

In line 887, after " notice" insert " to the registrar"

In line 888, after " notice" insert " to the registrar"

In line 972, after the underlined comma insert " the court shall send the person a notice by ordinary mail at the person's last known address stating that there is a balance due, specifying the amount of the balance due, and directing the person to contact the court clerk's office within ten days of the date of the notice. The notice shall include the sentence: "WARNING: Failure to timely respond to this notice may result in the blocking of your motor vehicle registration or transfer of registration!" To avoid a block on the person's motor vehicle registration or transfer of registration, the person may enter into a written agreement with the court to pay the balance due in installments or to perform

community service in lieu of payment. The agreement shall include the sentence: "WARNING: Failure to comply with the payment schedule or to complete your community service requirement may result in the blocking of your motor vehicle registration or transfer of registration!"

If a person does not enter into an agreement under this division or if a person fails to comply with an agreement entered into under this division,"

In line 973, after " pay" insert " any outstanding amount of"

In line 993, after " notice" insert " to the registrar"

In line 994, after " notice" insert " to the registrar"

In line 18 of the title, after "that" insert "after notice to the debtor and an opportunity to enter into an installment payment or community service agreement with the court"

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

- | | | | |
|-----------|-------------|-----------|----------------|
| Adams J. | Adams R. | Amstutz | Anielski |
| Antonio | Ashford | Baker | Barnes |
| Beck | Blair | Blessing | Boose |
| Boyce | Brenner | Bubp | Buchy |
| Budish | Butler | Carney | Celebrezze |
| Celeste | Cera | Clyde | Combs |
| Conditt | Damschroder | DeVitis | Derickson |
| Dovilla | Driehaus | Duffey | Fedor |
| Foley | Gardner | Garland | Gerberry |
| Gonzales | Goodwin | Goyal | Grossman |
| Hackett | Hagan, C. | Hagan, R. | Hall |
| Hayes | Henne | Hill | Hottinger |
| Huffman | Johnson | Kozlowski | Landis |
| Letson | Lundy | Lynch | Maag |
| Mallory | McClain | McGregor | Milkovich |
| Murray | Newbold | O'Brien | Okey |
| Patmon | Pelanda | Phillips | Pillich |
| Ramos | Reece | Roegner | Rosenberger |
| Ruhl | Scherer | Schuring | Sears |
| Slaby M. | Smith | Sprague | Stautberg |
| Stebelton | Stinziano | Sykes | Szollosi |
| Terhar | Thompson | Uecker | Wachtmann |
| Williams | Winburn | Young | Yuko |
| | | | Batchelder-93. |

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted - yeas 83, nays 10, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Anielski	Ashford
Baker	Barnes	Beck	Blair
Blessing	Boyce	Brenner	Bubp
Buchy	Budish	Butler	Carney
Celebrezze	Celeste	Cera	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Gardner	Garland	Gerberry	Gonzales
Goodwin	Goyal	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy
Lynch	Maag	Mallory	McClain
McGregor	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Pelanda
Phillips	Pillich	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Winburn
Young	Yuko		Batchelder-83.

Those who voted in the negative were: Representatives

Amstutz	Antonio	Boose	Clyde
Foley	Hagan, R.	Ramos	Reece
Wachtmann			Williams-10.

The bill passed.

Representative Bubp moved to amend the title as follows:

Add the names: "Blair, Combs, Johnson, Milkovich, Terhar, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. H. B. No. 387-Representatives Sears, Ashford.

Cosponsors: Representatives Letson, Gardner, Hill, McGregor, Antonio, Combs, Fedor, Stebelton, Brenner, Hackett.

To enact section 307.093 of the Revised Code to authorize a board of county commissioners of any county to enter into agreements for the sale and leaseback of all or portions of county buildings, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Ashford moved to amend as follows:

Between lines 16 and 17, insert:

" The sale and leaseback agreement shall require that, subject to section 4117.07 of the Revised Code, the lessor recognize the employee organization that represents the employees who work in the building or portion of the building that is the subject of the sale and leaseback agreement as the exclusive representative, as defined in section 4117.01 of the Revised Code, of those employees."

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 64, nays 29, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Ashford	Baker	Barnes
Blair	Blessing	Boyce	Bubp
Budish	Carney	Celebrezze	Celeste
Cera	Clyde	Combs	Conditt
Damschroder	Derickson	Dovilla	Driehaus
Fedor	Foley	Gardner	Garland
Gerberry	Gonzales	Goodwin	Goyal
Grossman	Hagan, C.	Hagan, R.	Hall
Hottinger	Johnson	Kozlowski	Letson
Lundy	Mallory	McGregor	Milkovich
Murray	O'Brien	Okey	Pelanda
Phillips	Pillich	Ramos	Reece
Rosenberger	Ruhl	Scherer	Schuring
Sears	Slaby M.	Smith	Sprague
Stinziano	Sykes	Szollosi	Uecker
Williams	Winburn	Yuko	Batchelder-64.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Beck	Boose	Brenner	Buchy
Butler	DeVitis	Duffey	Hackett
Hayes	Henne	Hill	Huffman
Landis	Lynch	Maag	McClain
Newbold	Patmon	Roegner	Stautberg
Stebelton	Terhar	Thompson	Wachtmann
			Young-29.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

Representative Blair moved to amend as follows:

In line 5, after "section" insert "505.60 be amended and section"

After line 19, insert:

"**Sec. 505.60.** (A) As provided in this section and section 505.601 of the

Revised Code, the board of township trustees of any township may procure and pay all or any part of the cost of insurance policies that may provide benefits for hospitalization, surgical care, major medical care, disability, dental care, eye care, medical care, hearing aids, prescription drugs, or sickness and accident insurance, or a combination of any of the foregoing types of insurance for township officers and employees. The board of township trustees of any township may negotiate and contract for the purchase of a policy of long-term care insurance for township officers and employees pursuant to section 124.841 of the Revised Code.

If the board procures any insurance policies under this section, the board shall provide uniform coverage under these policies for township officers and full-time township employees and their immediate dependents, and may provide coverage under these policies for part-time township employees and their immediate dependents, from the funds or budgets from which the officers or employees are compensated for services, such policies to be issued by an insurance company duly authorized to do business in this state.

(B) The board may also provide coverage for any or all of the benefits described in division (A) of this section by entering into a contract for group health care services with health insuring corporations holding certificates of authority under Chapter 1751. of the Revised Code for township officers and employees and their immediate dependents. If the board so contracts, it shall provide uniform coverage under any such contracts for township officers and full-time township employees and their immediate dependents, from the funds or budgets from which the officers or employees are compensated for services, and may provide coverage under such contracts for part-time township employees and their immediate dependents, from the funds or budgets from which the officers or employees are compensated for services, provided that each officer and employee so covered is permitted to:

(1) Choose between a plan offered by an insurance company and a plan offered by a health insuring corporation, and provided further that the officer or employee pays any amount by which the cost of the plan chosen exceeds the cost of the plan offered by the board under this section;

(2) Change the choice made under this division at a time each year as determined in advance by the board.

An addition of a class or change of definition of coverage to the plan offered under this division by the board may be made at any time that it is determined by the board to be in the best interest of the township. If the total cost to the township of the revised plan for any trustee's coverage does not exceed that cost under the plan in effect during the prior policy year, the revision of the plan does not cause an increase in that trustee's compensation.

(C) Any township officer or employee may refuse to accept any coverage authorized by this section without affecting the availability of such coverage to other township officers and employees.

(D) If any township officer or employee is denied coverage under a health care plan procured under this section or if any township officer or employee elects not to participate in the township's health care plan, the township may reimburse the officer or employee for each out-of-pocket premium attributable to the coverage provided for the officer or employee and their immediate dependents for insurance benefits described in division (A) of this section that the officer or employee otherwise obtains, but not to exceed an amount equal to the average premium paid by the township for its officers and employees under any health care plan it procures under this section.

(E) The board may provide the benefits authorized under this section, without competitive bidding, by contributing to a health and welfare trust fund administered through or in conjunction with a collective bargaining representative of the township employees.

The board may also provide the benefits described in this section through an individual self-insurance program or a joint self-insurance program as provided in section 9.833 of the Revised Code.

(F) If a board of township trustees fails to pay one or more premiums for a policy, contract, or plan of insurance or health care services authorized under this section and the failure causes a lapse, cancellation, or other termination of coverage under the policy, contract, or plan, it may reimburse a township officer or employee for, or pay on behalf of the officer or employee, any expenses incurred that would have been covered under the policy, contract, or plan.

(G) As used in this section and section 505.601 of the Revised Code:

(1) "Part-time township employee" means a township employee who is hired with the expectation that the employee will work not more than one thousand five hundred hours in any year.

(2) "Premium" does not include any deductible or health care costs paid directly by a township officer or employee.

Section 2. That existing section 505.60 of the Revised Code is hereby repealed."

In line 1 of the title, after "To" insert "amend section 505.60 and to"

In line 4 of the title, after "buildings" insert ", and to authorize a township to reimburse an officer or employee for out-of-pocket premiums attributable to insurance coverage provided for the immediate dependents of the officer or employee"

The question being, "Shall the motion to amend be agreed to?"

The Honorable William G. Batchelder, Speaker
 The Ohio House of Representatives
 Columbus, Ohio
 Speaker Batchelder,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on the amendment to **Am. H. B. No. 387**-Representatives Sears, Ashford, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ CHERYL GROSSMAN
 Cheryl Grossman
 State Representative
 23rd House District

The request was granted.

The yeas and nays were taken and resulted - yeas 90, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Baker	Barnes
Beck	Blair	Blessing	Boose
Boyce	Brenner	Bubp	Buchy
Budish	Butler	Carney	Celebrezze
Celeste	Cera	Clyde	Combs
Conditt	Damschroder	DeVitis	Derickson
Dovilla	Driehaus	Duffey	Fedor
Gardner	Garland	Gerberry	Gonzales
Goyal	Hackett	Hagan, C.	Hagan, R.
Hall	Hayes	Henne	Hill
Hottinger	Huffman	Johnson	Kozlowski
Landis	Letson	Lundy	Lynch
Maag	Mallory	McClain	McGregor
Milkovich	Murray	Newbold	O'Brien
Okey	Patmon	Pelanda	Phillips
Pillich	Ramos	Reece	Roegner
Rosenberger	Ruhl	Scherer	Schuring
Sears	Slaby M.	Smith	Sprague
Stautberg	Stebelton	Stinziano	Sykes
Szollosi	Terhar	Thompson	Uecker
Wachtmann	Williams	Winburn	Young
Yuko			Batchelder-90.

Representative Goodwin voted in the negative-1.

The motion was agreed to and the bill so amended.

The question recurring, "Shall the bill as amended pass?"

The Honorable William G. Batchelder, Speaker
The Ohio House of Representatives
Columbus, Ohio

Speaker Batchelder,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on **Am. H. B. No. 387**-Representatives Sears, Ashford, et al., because it might be construed that I have an interest in the legislation.

Sincerely yours,

/s/ CHERYL GROSSMAN
CHERYL GROSSMAN
State Representative
23rd House District

The request was granted.

The yeas and nays were taken and resulted - yeas 85, nays 6, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Antonio	Ashford	Barnes	Beck
Blair	Blessing	Boose	Boyce
Brenner	Bubp	Buchy	Budish
Butler	Celebrezze	Celeste	Cera
Combs	Conditt	Damschroder	DeVitis
Derickson	Dovilla	Duffey	Fedor
Foley	Gardner	Garland	Gerberry
Gonzales	Goodwin	Goyal	Hackett
Hagan, C.	Hall	Hayes	Henne
Hill	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy
Lynch	Maag	Mallory	McClain
McGregor	Milkovich	Murray	Newbold
O'Brien	Okey	Patmon	Pelanda
Pillich	Reece	Roegner	Rosenberger
Ruhl	Scherer	Schuring	Sears
Slaby M.	Smith	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollosi
Terhar	Thompson	Uecker	Wachtmann
Williams	Winburn	Young	Yuko
			Batchelder-85.

Representatives Carney, Clyde, Driehaus, Hagan, R., Phillips, and Ramos voted in the negative-6.

The bill passed.

Representative Sears moved to amend the title as follows:

Add the names: "Blair, Blessing, Ruhl."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Blessing, the House adjourned until Wednesday, November 28, 2012 at 1:30 p.m.

Attest:

JENNIFER E. WOODRING,
Clerk.